

PINNOCK & WAKEFIELD, A.P.C.

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

**OUTERBRIDGE ACCESS ASSOCIATION,
SUING ON BEHALF OF DIANE CROSS;
and DIANE CROSS, An Individual,**

Plaintiffs,

v.

**MARIE CALLENDER'S PIE SHOPS, INC.
d.b.a. MARIE CALLENDER'S #254;
PACIFIC BAGELS, LLC d.b.a.
BRUEGGARS BAGELS; COURTYARD
HOLDINGS, LP; AND DOES 1 THROUGH
10, Inclusive,**

Defendants.

Case No.: 07cv2129 BTM (AJB)

**JOINT MOTION AND MOTION TO
DISMISS DEFENDANT COURTYARD
HOLDINGS, LP WITH PREJUDICE
FROM PLAINTIFFS' COMPLAINT AND
PLAINTIFFS' COMPLAINT IN ITS
ENTIRETY.**

[Fed.R.Civ.P. Rule 41(a)(2)]

THIS JOINT MOTION IS HEREBY MADE AND IT IS HEREBY STIPULATED
by and between OUTERBRIDGE ACCESS ASSOCIATION, SUING ON BEHALF OF
DIANE CROSS; and DIANE CROSS, An Individual, Plaintiffs, on the
one hand, and Defendant COURTYARD HOLDINGS, LP on the other hand,
through their respective attorneys of record that, pursuant to
Federal Rules of Civil Procedure, Rule 41 (a)(1) and (2), this
Court enter a dismissal with prejudice of Defendant COURTYARD

1 HOLDINGS, LP from Plaintiffs' Complaint, Case Number: 07cv2129
2 BTM (AJB). Additionally, Plaintiffs request Plaintiffs' Civil
3 Complaint be dismissed with prejudice in its entirety.

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5 **THIS JOINT MOTION IS HEREBY MADE AND IT IS SO STIPULATED.**

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7 Dated: April 23, 2008 **PINNOCK & WAKEFIELD, A.P.C.**

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9 By: s/ Michelle L. Wakefield
10 Attorney for Plaintiffs
11 E-mail: MichelleWakefield@
PinnockWakefieldLaw.com

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13 Dated: April 22, 2008 **MAYER BROWN LLP**
14 **John Nadolenco**
Bronwyn F. Pollock

15
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